

MB Docket No. 04-233, Comments in Response to Localism Notice of Proposed Rulemaking

We are quite concerned that the proposed new rules would have a devastating effect on religious broadcasting in the U.S. We have long listened to and supported Christian broadcasting, and we believe that the proposed rules violate First Amendment rights.

Churchill said (This may not be verbatim, but it's close.), "Only as light is shined upon an object from many different angles can full illumination be secured." Since most broadcasters largely ignore or suppress the Christian viewpoint, it is essential that the airwaves remain open to clear, consistent presentations of the Christian message.

To force religious radio stations to take advice from people who do not share their values, as in your advisory board proposals, would be an unconstitutional interference with the free exercise of religion. Any Christian – or other religion – broadcaster who resisted the advice of such a panel would be subjected to harassment or even loss of license simply because he is trying to be true to the tenets of his faith. The Constitution expressly prohibits government from dictating broadcasters' religious viewpoints.

The discredited "Fairness Doctrine" of several years ago was a travesty. There is nothing fair about forcing every radio station – regardless of the reason for its founding and its programming – to become a public forum. This is patently unfair! Your proposed public access requirements would force a religious broadcaster to go against his conscientious exercise of his religion. Again, such forced imposition flies in the face of the First Amendment.

The FCC also must not force any religious broadcaster to reveal specific editorial decision making information. Choices of programming must not be dictated by any government entity. You would in effect be dictating editorial choices, thus undercutting both freedom of speech and freedom of religion.

We ask that the FCC not establish your proposed two-tiered license renewal system. To bar certain licensees automatically from the routine renewal application process would be blatant discrimination. It would amount to coercive action against religious broadcasters. By simply staying true to the dictates of their own consciences and the teachings of their religions, they could subject their stations to long, expensive, potentially ruinous renewal proceedings.

As long-time supporters of Christian radio – although due to our current financial circumstances our contributions are lower this year – we know that many broadcasters operate on very tight budgets. In fact, their budgets are only a small fraction of those of National Public Radio or commercial broadcasters. Your proposals to require staff presence at every location whenever a station is on the air, and to further restrict options for main studio locations, would force a drastic reduction in service. This again would damage the rights to free speech and the free exercise of religion. Therefore, we urge that the FCC not adopt these unfair, damaging, and we believe unconstitutional, policies.

Thank you for your consideration.

Sincerely,  
Barbara & Jerry Gass  
(Mr. & Mrs. Jerry H. Gass)